

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 06-4271 CAS (JWJx) Date May 4, 2009

Title Fidelity National Financial, Inc., et al. v. Colin H. Friedman, et al.

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers): Order to Show Cause

On April 27, 2009, Joseph Etienne ("Etienne") and David Bass ("Bass") filed declarations in response to the Court's request for a proposed budget for the representation of Trust defendants in this action. In these declarations, Etienne and Bass indicate a preference to have David M. Bass and Associates ("DBA") represent the Trust defendants. Fidelity filed an opposition thereto on April 28, 2009, in which Fidelity argues that there are direct and serious conflicts of interest between the Trust defendants and DBA's current defendant clients in this action, and that allowing DBA to defend both sets of defendants would raise an unwaivable conflict of interest. In his reply declaration, filed on April 29, 2009, Bass argued that Fidelity had failed to demonstrate that a conflict of interest exists, and that DBA intends to obtain conflict waivers from represented defendants and Trust defendants. However, the Court cannot determine, based on the record before it, that no unwaivable conflict of interest exists, so as to preclude DBA from representing the Trust defendants and other defendants simultaneous in this action. Therefore, the Court orders DBA to show cause, on or before May 11 2009, why the Court should not find that a conflict of interest exists precluding DBA from representing both the Trust defendants and other defendants in this action.

IT IS SO ORDERED.

Initials of Preparer 00 : 00
CMJ